

a devise or bequest. Law prior to the adoption of said section. *Snowden v. Crown Cork and Seal Co.*, 114 Md. 651. (*Cf.* dissenting opinion.)

Sec. 415 of the Code of 1904, held not to take away the common law right to sue members of an unincorporated association, but that the creditor had the option to sue either the association or its members. *Littleton v. Wells, etc.*, Council, 98 Md. 455. And see *National Shutter Bar Co. v. Zimmerman*, 110 Md. 321 (raising a doubt as to the effect of the act of 1908, ch. 240).

Sec. 415 of the Code of 1904, held a sufficient answer to a motion to set aside a judgment on the ground that the plaintiff was not a corporation, and that a partnership could only sue in the individual names of the partners. *Powhatan, etc., Co. v. Potomac, etc., Co.*, 36 Md. 244.

Unless the incorporation of any alleged corporation is denied in the next succeeding pleading, it is admitted for the purposes of the action—art. 75, sec. 28, sub-sec. 108.

Neither the answer nor any of the pleadings of a corporation in equity, need be under the corporate seal—art. 16, sec. 239.

This section referred to in deciding that corporation may not be made a garnishee in jurisdiction other than where it does business. *Sanitary Grocery Co. v. Soper*, 146 Md. 136.

Motion to quash on ground that railroad brotherhood was not within this section, overruled. Rules of brotherhood. When decisions of brotherhood final. *Long v. B. & O. R. R. Co.*, 155 Md. 267.

This section indicates how indictment should describe owner of stolen goods. *State v. Barrett*, 148 Md. 156.

Cross references.

See notes to sec. 119.

As to process upon insurance and surety companies, see also art. 75, sec. 27. See also art. 48A, sec. 172.

As to proceedings against a defendant corporation as though it were a non-resident, if neither the president nor any of its directors, officers or agents reside in Maryland, see art. 16, sec. 142.

As to process in general, see art. 75, sec. 153, *et seq.*, and notes.

As to suits and process against the Adams Express Company and other unincorporated stock companies, see art. 73, sec. 31.

As to process against corporations in criminal cases, see art. 27, secs. 815 and 816.

As to process against fraternal orders, see art. 48A, sec. 198.

1937, ch. 504, sec. 104.

110. (a) Every corporation of this State and every foreign corporation subject to suit in this State may be sued in any county or in the City of Baltimore, as the case may be, where its principal office in this State is located, or where it regularly does business, or in any local action where the subject matter thereof lies.

(b) If any corporation of this State or any foreign corporation subject to suit in this State has no principal office in this State and is not regularly doing business in any county of this State or in the City of Baltimore, such corporation may be sued in the City of Baltimore or, if the plaintiff resides in a county of this State, such corporation may be sued in such county, or in any local action where the subject matter thereof lies.

(c) Whenever any corporation of this State or any foreign corporation has become surety on any bond required by law to be filed with any court of this State or with any register of wills, public board or official, suit against such corporation on such bond may be brought in the city or county where such bond is filed.

1937, ch. 504, sec. 105.

111. (a) Except as in this Section otherwise provided, process in every action against a corporation of this State or against a foreign corporation shall be served (subject to the special provisions for foreign insurance companies and for fraternal beneficiary societies, orders or associations made in Article 48A) upon a resident agent thereof or upon a person authorized in the manner provided in Section 112 of this Article to accept service of such process.